

07/11/01
J1046 U.S. PTO

07-12-01

A

Please type a plus sign (+) inside this box → ☒

PTO/SB/05 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	292609-605002
First Inventor	Danny Kenny
Title	Automatic Reference- Pressure Balance Method
Express Mail Label No.	EL626923953US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☒ Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Specification [Total Pages 15]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
- Oath or Declaration [Total Pages 3]
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement of Attorney (when there is an assignee)
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449
- ☒ Preliminary Amendment
- ☐ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/378,881
Prior application information: Examiner R. Raevis Group Art Unit: 2856

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) or ☒ Correspondence address below

Name	Rudolph J. Buchel, Jr.				
Address	Jones, Day, Reavis & Pogue 2727 N. Harwood Street - P. O. Box 660623				
City	Dallas	State	TX	Zip Code	75201
Country	USA	Telephone	214-969-2990	Fax	214-969-5600

Name (Print/Type)	Rudolph J. Buchel, Jr.	Registration No. (Attorney/Agent)	43,448
Signature	<i>Rudolph J. Buchel, Jr.</i>	Date	July 11, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

09902788-07404

J1046 U.S. PTO
09/902788

07/11/01

DIV

PATENT



Anticipated Classification of this application:

Class 073 Subclass 001.630

* * * *

Prior application:09/378,881

Examiner: Raevis, R.

Art Unit: 2856

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

REQUEST FOR FILING OF DIVISIONAL APPLICATION

This is a request for the filing of a divisional application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. **09/378,881**, filed **August 23, 1999** of **Kenney, et al.** for "**Automatic Reference-Pressure Balance Method**".

Enclosed is a copy of the prior application, including the oath or declaration as originally filed.

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on this date in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number **EL626923953** addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Marsha Kappas

(Type or print name of person mailing paper)

Marsha S. Kappas

(Signature of person mailing paper)

1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the oath or declaration originally filed.

The copy of the papers of prior application as filed which are attached are as follows:

9 pages of specification
15 pages of claims
1 page(s) of abstract
3 sheets of drawings
3 pages of declaration and power of attorney

2. Amendments

A preliminary amendment is enclosed.

3. Information Disclosure Statement

An information disclosure statement is submitted herewith. (Check if applicable.)

4. Fee Calculation (37 CFR 1.16)

The filing fee is calculated below:

CLAIMS AS FILED

Number Filed
Number Extra
Rate
Fee

Total Claims:	- 20 =	--	x22.00	.
Independent Claims:	- 3 =	--	x80.00	.
Multiple dependent claims			260.00	
Basic Fee:				\$355.00
Total Filing Fee				\$355.00

5. Small Entity Status

A verified statement that this filing is by a small entity has been filed in the parent application and such status is still proper and desired (37 CFR 1.28(a))

Filing Fee Calculation (50% of above) \$

6. **Drawings**

Drawings are enclosed
XX formal

7. **Priority -- 35 U.S.C. 119**

Priority of application Serial No. filed on in is claimed
under 35 U.S.C. 119.

The certified copy has been filed in prior U.S. application Serial No. on

The certified copy will follow.

8. **Relate Back -- 35 U.S.C. 120**

XXX Relate back to U.S. Patent Application No. 09/137,354, filed August 20, 1998 filed **August 23, 1999** of **Kenney, et al.** for "**Automatic Reference-Pressure Balance Method**". Amendment to the specification enclosed.

9. **Inventorship Statement**

(a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120 the inventor(s) in this application is/are:

XXX the same

(b) The inventorship for all the claims in this application are:

XXX the same

10. **Assignment**

The prior application is assigned of record to **Globitech, Inc.**

11. **Fee Payment being made at this time**

XX Not Enclosed

XX No filing fee is submitted. (This and the surcharge required by 37 CFR 1.16(e) can be paid subsequently).

12. **Method of Payment of Fees**

09082788 01101

Enclosed is a check in the amount of \$
Charge Deposit Account No. 10-1202 in the amount of \$. A
duplicate of this request is attached.

13. Power of Attorney

The power of attorney in the prior application is to: **Rudolph J. Buchel Jr.**
43,448

- a. XX The power appears in the original papers in the prior application.
- b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. A new power has been executed and is attached.
- d. XX Address all future communications to address below.

Respectfully submitted,

JONES, DAY, REAVIS & POGUE



Rudolph J. Buchel, Jr.

Reg. No. 43,448

ATTORNEYS FOR APPLICANT

July 11, 2001
2727 N. Harwood
Dallas, TX 75201
(214) 969-2990

09900788 07401
TOT 20 22220560